



#9 DAC\$

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)
02103-399001

First named inventor: Michael Fabry

Group Art Unit: 2644

Application Number: 09/757,338

Examiner: Minsun Oh Harvey

Filed: January 9, 2001

Title: VEHICLE ELECTROACOUSTICAL TRANSDUCING

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay

1. Petition fee

☐ small entity - fee \$ _____ (37 CFR 1.17(l)). Applicant claims small entity status.
See 37 CFR 1.27.

☒ other than small entity - fee \$ 110.00 (37 CFR 1.17(l)).

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of Amendment B (identify the type of reply):

- ☐ has been filed previously on _____
☒ is enclosed herewith.

10/10/2003 AWPBDAF1 00000024 09757338

B. The issue fee of \$ _____

01-FC:1452

110.00 OP

- ☐ has been paid previously on _____
☐ is enclosed herewith.

[Page 1 of 3]

Burden Hour Statement: This form is estimated to take 1.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Adjustment date: 11/24/2003 EFKUGAY1

10/10/2003 AWPBDAF1 00000024 09757338

01 FC:1452

-110.00 OP

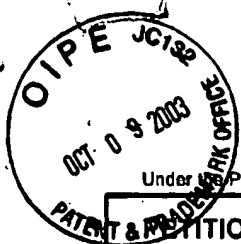
OCT 10 2003

OFFICE OF PETITIONS

Repl'n. Ref: 11/24/2003 EFKUGAY1 00000024 09757338
DAH:061050 Name/Number:09757338

\$110.00 CR

FC: 9204



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)****3. Terminal disclaimer with disclaimer fee**

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity of \$_____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

7 October 2003

Date

Charles Hieken

Signature

Telephone

Number: (617) 521-7014Charles Hieken

Typed or printed name

Fish & Richardson P.C., 225 Franklin St.

Address

Boston, MA 02110-2804Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unavoidable delay☐ _____**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

7 October 2003

Date

Charles Hieken

Signature

Charles Hieken

Typed or printed name of person signing certificate

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

7 October 2003

Date

Charles Hieken

Signature

Charles Hieken

Typed or printed name

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply)

The reasons for the delay in filing a proper reply is that the attorneys for Applicant did not receive a copy of the office action dated February 14, 2003, until the Examiner faxed it September 11, 2003, following a telephone call from the Examiner asking whether the application had been abandoned.

(Please attach additional sheets if additional space is necessary)